

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

D-MED, INC.; JAMES J. GUTZWILLER, )  
JEANNINE GUTZWILLER; RAYMOND G. )  
GUTZWILLER; CHARLES HOLLAND; )  
ADAIR CAPITAL PARTNERS I, LLC; )  
TERRY OCHS; RUTH OCHS; and )  
DAVID J. SILVER, )  
 )  
Plaintiffs )  
 )  
v. )  
 )  
MID-AMERICA ENERGY, INC.; )  
MID-AMERICA OIL & GAS, LLC; )  
GARY MILBY; MURFREESBORO OIL )  
#1, LLP; FREEDOM OIL #1, LLP; )  
and BIG CREEK OIL #1, LLP, )  
 )  
Defendants )  
 )

No. 3:07-0419

Judge Trauger/Brown

O R D E R

This matter having come before this Court on the Motion for Entry of Default Judgment (Docket Entry 27) filed by the Plaintiffs, this Court having considered the motion and record in this case adopts the report and recommendation of the Magistrate Judge and hereby concludes that the motion should be **GRANTED**.

The Court further finds as follows:

A. The Defendants Mid-America Energy, Inc.; Mid-America Oil & Gas, LLC; Gary M. Milby; Murfreesboro Oil #1, LLP; Freedom Oil #1, LLP; and Big Creek Oil #1, LLP (Defendants) were served by personal service on June 17, 2007.

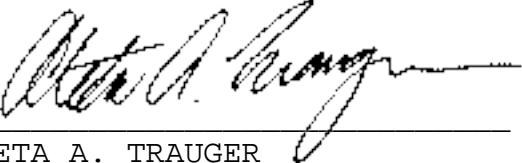
B. The Defendants failed to respond to or otherwise defend the allegations in the complaint.

C. The Defendants failed to respond to the motion (Docket Entry 27) filed on July 16, 2007.

D. The Plaintiffs are entitled to a default judgment against the Defendants.

E. This case involves rescissionary damages in the amount of \$186,000.00 apparent and calculable according to the complaint.

It is so **ORDERED**.



---

ALETA A. TRAUGER  
United States Judge